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NO. 981 P. 1

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**DATE:** 12 February 2007

**TO:** USPTO

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 12 2007

Applicant: JANUARY, James R.

Art Unit: 1771

Application No.: 10/706427

Examiner: Matzek M.

Filing Date: 12 November 2003

Confirmation No.: 7160

Title: WATERCOLOR CANVAS

Customer No.: 25207

Docket No.: 148759.01500 (Old 14045.015US)

**PRELIMINARY AMENDMENT**

Via Fax: +1.571.273.8300

12 February 2007

Commissioner of Patents  
PO Box 1450  
Alexandria VA 22313-1450

Sir:

The following is submitted in connection with the Request for Continued Examination (RCE) filed contemporaneously herewith.

**Status** begins on page 2.**Summary of Fees Submitted Herewith** begins on Page 3.**Claims Amendments** begin on page 4.**Remarks** begin on page 11.

I certify that I have transmitted this document via facsimile to the USPTO to the central facsimile receiving number of +1.571.273.8300, this 12<sup>th</sup> day of February, 2007.

  
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Lawrence P. Colton

**STATUS****RECEIVED  
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Claims 1-5 and 7-23 are pending in the above-captioned patent application and have been rejected.

Claims 1-5, 7-12, 14-17 and 19-22 have been rejected under 35 USC 102 as anticipated by US Patent No. 5629073 to Lovell (Lovell '073).

Claims 13, 18, 23 have been rejected under 35 USC 103 as being obvious over Lovell '073.

**SUMMARY OF USPTO FEES ENCLOSED HEREWITH****1. Extension of Time**

A separate Petition for an Extension of Time under 37 CFR 1.136 of three (3) month up to and including 12 February 2007 and the appropriate fee under 37 CFR 1.17 is enclosed. However, Applicant already paid for a one (1) month extension and has deducted the one (1) month fee amount.

**2. Request for Continued Examination**

A separate Request for Continued Examination under 37 CFR 1.114 and the appropriate fee for a large entity is enclosed herewith.

**3. Excess Claims Fee**

Applicant has submitted the fee for twenty-three (23) total claims and seven (7) independent claims. This Response results in twenty-two (22) total claims and seven (7) independent claims. As such, no excess claims fee is due.